

10/048123  
PTO/PCT Rec'd 29 MAR 2002

Form PTO 1390 (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER P32292
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)
INTERNATIONAL APPLICATION NO. PCT/GB00/01520	INTERNATIONAL FILING DATE 19 April 2000	PRIORITY DATE CLAIMED 23 April 1999		
TITLE OF INVENTION POLYMORPH OF 5-[4-[2-(N-METHYL-N-(2-PYRIDYL)AMINO)ETHOXY]BENZYL]- THIAZOLIDINE-2,4-DIONE, MALEIC ACID SALT				
APPLICANT(S) FOR DO/EO/US Paul David James BLACKLER, Christine Marie BROWNE, Timothy G. COAKLEY, Robert Gordon GILES and Gillian MORRISSEY				

#5

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ Please amend the specification by inserting before the first line the sentence:
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ An Abstract on a separate sheet of paper.

19. [X] Other items or information: Copy of Form PCT/DO/EO/905.

US APPLICATION NO. (if known see 37 CFR 1.50)		INTERNATIONAL APPLICATION NO. PCT/GB00/01520		ATTORNEYS DOCKET NO. P32292	
20. [X] The following fees are submitted:				CALCULATIONS PTO USE ONLY	
(x)	one month extension.....		\$ 110		
( )	two months extension.....		\$ 400		
( )	three months extension.....		\$ 920		
( )	four months extension (not beyond statutory time period).....		\$1,440		
( )	fifth month extension.....		\$1,960		
ENTER APPROPRIATE BASIC FEE AMOUNT =					
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 or 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	0	0 x \$18.00	\$0.00	
Independent claims	- 3 =	0	0 x \$84.00	\$0.00	
Multiple dependent claims (if applicable)			+ \$280.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than 20 or 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$130.00	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$130.00** to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application. (37 CFR 1.136 (a)(3)).

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

GLAXOSMITHKLINE

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SIGNATURE

Yuriy P. Stercho, Ph.D.

NAME

33,797

REGISTRATION NO.

DOCKET No. P32292 Date Mailed 12-03-01 Atty/Secy YPS-Tandy  
 MAILING: CERTIFICATE/EXPRESS MAIL # EV 000521165 US  
 U.S. Serial No. \_\_\_\_\_ Filing Date: \_\_\_\_\_  
 Int'l App. No. PCT/GB00/01530 Int'l Filing Date: 07-12-2000

## RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Appln. Trans. (+ 1 copy) for:                                    | <input type="checkbox"/> Provisional                             | <input type="checkbox"/> CIP                            | <input type="checkbox"/> Statement to Support Filing    |
| <input type="checkbox"/> Utility/Continuation   | <input type="checkbox"/> CPA                                     | <input type="checkbox"/> RCE                            | <input type="checkbox"/> Divisional                     |
| <input type="checkbox"/> Specification _____ pages  | <input type="checkbox"/> Abstract _____ pgs                      | <input type="checkbox"/> Diskette                       | <input type="checkbox"/> Copy of Notice to Comply       |
| <input checked="" type="checkbox"/> Dec. & Power of Atty <u>3</u> pages ( <u>Signed</u> ) | <input type="checkbox"/> Appeal Brief _____ pages                | <input type="checkbox"/> Petition _____ pgs.            | <input type="checkbox"/> Status Request                 |
| <input checked="" type="checkbox"/> Drawings _____ Sheet(s)/Figs _____ to _____           | <input checked="" type="checkbox"/> Trans. Nat'l Stage (2nd sub) | <input type="checkbox"/> Resp. to Written Opinion       | <input type="checkbox"/> Priority Document              |
| <input checked="" type="checkbox"/> Assignment <u>2</u> pages & Recordation Cover Sheet   | <input type="checkbox"/> Notice of Appeal/Brief                  | <input type="checkbox"/> Resp. to Rest. Req. _____ pgs. | <input type="checkbox"/> Req. to Correct Filing Receipt |
| <input type="checkbox"/> Trans. Ltr Nail Stage Entry (3pgs.)                              | <input type="checkbox"/> Copy of Filing Receipt                  | <input type="checkbox"/> Correct Defects _____ pages    |   |
| <input type="checkbox"/> Information Disclosure Statement                                 |  |   |   |
| <input type="checkbox"/> Form PTO-1449 _____ pgs. & _____ References                      |  |   |   |
| <input type="checkbox"/> Amendment <input type="checkbox"/> Response _____ pages          |  |   |   |
| <input type="checkbox"/> Petition for Extension of Time plus 2 copies                     |  |   |   |
| <input type="checkbox"/> Issue Fee Trans. (Part B) + 1 copy                               |  |   |   |
| <input type="checkbox"/> Copy of Notice to File Missing Parts                             |  |   |   |
| <input type="checkbox"/> Request for Nonpublication (1 pg)                                |  |   |   |
| <input checked="" type="checkbox"/> Authorization to Charge Dep. Acct. # <u>19-2570</u>   |  |   |   |

+ 1 cc  
of Fee  
Sheet

JC07 Rec'd PCT/PTO 03 DEC 2001

PATENT  
ATTORNEY'S DOCKET NUMBER P32292TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE  
(DO/EO/US) - CONCERNING A FILING UNDER 35 U.S.C 371

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/GB00/01520	19 April 2000	23 April 1999

## TITLE OF INVENTION

POLYMORPH OF 5-[4-[2-(N-METHYL-N-(2-PYRIDYL)AMINO)ETHOXY]BENZYL]-  
THIAZOLIDINE-2,4-DIONE, MALEIC ACID SALT

## APPLICANT(S) FOR DO/US

Paul David James BLACKLER, Christine Marie BROWNE, Timothy G. COAKLEY, Robert  
Gordon GILES and Gillian MORRISSEY

Box PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTENTION: DO/US

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date December 3, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV000521165US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Elsa Matos

(Typed or printed name of person mailing paper)

Elsa Matos

(Signature of person mailing paper)

EV000521165US



20462

PATENT TRADEMARK OFFICE

**FAX**

GlaxoSmithKline

**To** Tamala D. Holland  
.....  
**Company** U.S. Patent & Trademark Office  
.....  
**Fax** 1-703-308-4785  
.....  
**Fr m** Trudy Halbherr  
.....  
**Tel** 610-270-5034  
.....  
**E-mail** Trudy.S.Halbherr@gsk.com  
.....  
**Date** 29 March 2002 **Pages including cover** 8  
.....  
**Subject** Docket No. P32292 – Intl. Application No.  
PCT/GB00/01520 – Intl. Filing Date 4/19/00  
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GlaxoSmithKline  
Corporate Intellectual  
Property  
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King of Prussia, PA  
19406-0939  
Tel: (610) 270-5018  
Fax (610) 270-5073  
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In response to the Notification of Missing Requirements Under 35 U.S.C. 371  
in the United States Designated/Elected Office (DO/EO/US) dated March 20, 2002,  
enclosed are the following documents:

1. A copy of the returned post card receipt from the PTO indicating that the Declaration and Power of Attorney was received;
2. A copy of the second submission of items concerning a filing under 35 U.S.C. 371. It is noted that box number 9 is checked indicating that a Declaration and Power of Attorney was enclosed therewith.
3. A copy of the Declaration and Power of Attorney as submitted.

If you need additional information, please call me at 610-270-5034.

Thank you for your assistance.

*Trudy*

The information contained in these documents is confidential and may also be privileged and is intended for the exclusive use of the addressee designated above. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, any disclosure, reproduction, distribution, or any other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please contact us immediately by telephone so that we can arrange for its return.